

designed to eliminate a trial in cases where there are no genuine issues of material fact, a motion in limine is designed to narrow the evidentiary issues for trial and to eliminate unnecessary trial interruptions.” *Louzon v. Ford Motor Co.*, 718 F.3d 556, 561 (6th Cir. 2013) (quoting *Bradley v. Pittsburgh Bd. of Educ.*, 913 F.2d 1064, 1069 (3d Cir.1990)). “A motion in limine is not intended to resolve non-evidentiary matters prior to trial for in civil actions a mechanism already exists for this purpose, the summary-judgment motion.” *Id.* (citations omitted).

Defendant’s request for the Court to determine that Plaintiff is not entitled to back or front pay is essentially a motion for summary judgment on Plaintiff’s damage claims because the effect of granting the motion would be to totally dispose of those claims. In fact, as Plaintiff points out, Defendant tellingly raised these arguments in its motion for summary judgment. The Court considered those arguments in disposing of the summary judgment, a process which, unlike the mechanism for resolving motions in limine, allows for “full development of the evidence” and provides parties with robust procedural protections and opportunity to fully defend claims. *Louzon*, 718 F.3d 556, 561-562. Furthermore, Defendant fails entirely to point to any rules of evidence or particular evidence it wishes to exclude. Defendant instead seeks to exclude entire claims, citing to no evidentiary basis. On this point alone, Defendant’s motion should fail. But even considering Defendant’s argument on the merits, the Court rejects the position that an at-will employee can never be entitled to back or front pay. *See Schwartz v. Gregori*, 45 F.3d 1017, 1023 (6th Cir. 1995) (affirming district court’s judgment awarding front pay and back pay to at-will employee in retaliatory discharge case.) Therefore, because Defendant’s motion is procedurally improper, Defendant’s motion is **DENIED**.

IT IS SO ORDERED.

s/ S. Thomas Anderson
S. THOMAS ANDERSON
CHIEF UNITED STATES DISTRICT COURT JUDGE

Date: June 21, 2021.